

Crutchfield
Signature of Sponsor

AMEND Senate Bill No. 3431

House Bill No. 3485

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

By deleting all language after the enacting clause and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 71-2-111(a) is amended by deleting the words “newly hired” prior to the language “employees and volunteers who provide direct care for, have direct contact with, or have direct responsibility for the safety and care of disabled or elderly persons in their homes”, and substituting instead the word “prospective”. This subsection is further amended by adding the language and punctuation, “[w]ith respect to volunteers, this section only applies to those volunteers who serve as volunteers for more than thirty-six (36) hours in any one (1) calendar year.” at the end of the first sentence.

Section 2. Tennessee Code Annotated, Section 71-2-111(b) is amended by deleting the first sentence in subsection (b), “[t]he commission shall promulgate rules which develop standard procedures specifying minimum requirements applicable to verifying individual background information or performing a criminal history background check of all paid or volunteer in-home care providers for vulnerable elderly and disabled persons.”, and substituting instead the following language and punctuation, “[c]onviction of an offense, or a lesser included offense, involving the physical, sexual or emotional abuse, neglect or financial exploitation or misuse of funds, or theft from any person, or which constitutes conviction of an offense involving violence against any person, or conviction of an offense involving the manufacture, sale, possession or distribution of any drug, or a no contest plea to such offenses, or the identification of any person on

the department of health's vulnerable persons registry pursuant to title 68, chapter 11, part 10, shall disqualify such person from employment with or volunteering for in-home care providers for disabled or elderly persons in their homes. The commission shall promulgate rules that shall include these minimum disqualifications and the development of standard procedures applicable to verifying individual background information or performing a criminal history background check."

Section 3. This act shall take effect on July 1, 2004, the public welfare requiring it.